IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 8TH AUGUST 2007 / 17TH SRAVANA 1929

WP(C).No. 16776 of 2007(V)

PETITIONER:

RAMEENA P.K., AGED 36 YEARS,
D/O.KAREEM, THEKKEPALLIKAL HOUSE,
EDAYAKUNNAM, SOUTH CHITTOOR, KOCHI-27.

BY ADV. SRI.SUNIL V.MOHAMMED

RESPONDENT:

THE SECRETARY, KERALA PUBLIC SERVICE
COMMISSION, PATTOM, THIRUVANANTHAPURAM.

BY ADV. SRI.P.C.SASIDHARAN, SC, KPSC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 08/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.16776/2007 V

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE ADMISSION TICKET ISSUED BY THE PSC.**

EXT.P2: **COPY OF THE COMMUNICATION DTD. 19/03/2007 ISSUED BY THE RESPONDENT FOR PRODUCING DOCUMENTS.**

EXT.P3: **COPY OF THE REQUEST DTD. 10/05/2007 PREFERRED BY THE PETITIONER.**

EXT.P4: **COPY OF THE ACKNOWLEDGEMENT CARD.**

1ST RESPONDENT'S EXHIBIT:

EXT.R1(A): **COPY OF THE NEWS ITEM PUBLISHED IN THE NEWS DAILIES.**

/TRUE COPY/

P.A.TO JUDGE

KSS

ANTONY DOMINIC,J.

W.P (C) No. 16776 of 2007

Dated this the 8th day of August, 2007

J U D G M E N T

Petitioner, an applicant who had responded to a notification issued by the Public Service Commission for filling up the post of Sales Tax Officer, was called for written test and was shortlisted. Additional documents to prove his credentials were called for and were submitted, it is submitted. According to the petitioner, when she made enquiries about the interview in the respondent's office it was disclosed that the schedule for interview will be intimated in the due course. After that when she made enquiry, it was learnt that the interview for the post was already over. Thereupon, she made a representation before the respondent to interview her and as it did not yield any result, this writ petition has been filed seeking orders requiring the respondent to afford an opportunity to the petitioner to participate in the interview.

2. A counter affidavit has been filed by the respondent, in which, it is stated that the list of eligible candidates to be called for the interview was published by the Public Service Commission and that the interview for the post was held from

24.4.2007 to 27.4.2007 in the Commission's office at Trivandrum. It is also stated that all the candidates including the petitioner were issued with individual interview memos and that the memos to the petitioner were not returned, calling for a presumption that it was served on her. It is also stated that in addition to individual memos, the commission had published the interview schedule in newspapers and also in their bullettin dated 15.4.2007, which is an official publication of the Commission. The newspaper reports and bullettin have been produced in this case.

3. It is true that the Commission has the obligation to issue memos to the candidates requiring them to participate in the interview. In this case Commission has discharged that obligation. But however, it is unfortunate that the petitioner did not receive those communication. Commission has also finalised the select list and it is not possible to conduct yet another interview for the petitioner at this stage. The facts disclose that the petitioner also was not vigilant, in as much as, if she were vigilant she would certainly have come to know of the schedule of interview at least from

newspaper reports or bullettin of the P.S.C.

In these circumstances, I do not find any irregularity in the action of the Public Service Commission warranting to be interfered with. The writ petition fails and it is dismissed.

(ANTONY DOMINIC,JUDGE)

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/True copy/

P.A to Judge

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007